

**A. SUBSTITUTE RESOLUTION**

**04-R-0992**

**BY TRANSPORTATION COMMITTEE**

**A RESOLUTION AUTHORIZING THE SALE OF SEVEN (7) PARCELS OF AIRPORT NOISE MITIGATION PROPERTY TOTALING 1.72 ACRES TO THE COLLEGE PARK BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY, SAID PARCELS BEING LOCATED IN THE CITY OF COLLEGE PARK IN LAND LOT 161 OF THE 14<sup>TH</sup> DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING SITUATED ON THE EAST SIDE OF CONLEY STREET, THE NORTH SIDE OF HARVARD AVENUE, AND THE WEST SIDE OF VICTORIA STREET, FOR THE COMBINED APPRAISED VALUE OF \$337,850.00, WHICH EQUATES TO \$4.50 PER SQUARE FOOT; AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF ATLANTA A DEED AND OTHER NECESSARY AND APPROPRIATE DOCUMENTS OR LEGAL INSTRUMENTS REQUIRED TO CONSUMMATE THIS TRANSACTION; AUTHORIZING THE CITY ATTORNEY TO TAKE ALL NECESSARY STEPS ON BEHALF OF THE CITY OF ATLANTA REQUIRED TO CLOSE THE SALE, AS HEREIN AUTHORIZED; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta, as owner and operator of the Hartsfield-Jackson Atlanta International Airport, has undertaken an Airport Noise Abatement Program, with federal grant-in-aid assistance from the FAA, to acquire incompatible land uses in the vicinity of the airport, including certain property located in the City of College Park, for the purpose of redeveloping such areas for commercial uses compatible with the airport environment; and

**WHEREAS**, the College Park Business and Industrial Development Authority desires to purchase several parcels of land located in the City of College Park which were purchased by the City of Atlanta under the Airport Noise Abatement Program, for construction of a new Public Safety Complex, a use which will be compatible with the airport and consistent with the objectives of the Airport Noise Abatement Program; and

**WHEREAS**, a fair market value appraisal has been obtained, pursuant to applicable ordinances of the City governing the disposition of real estate by the City, to establish the price to be paid by the College Park Business and Industrial Development Authority, as hereinafter set forth.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, Georgia**, that sale of the following tract or parcel of land to the College Park Business and Industrial Development Authority, for the price of \$337,850.00 to be paid in full at closing and deposited into 2H21 491102 R21E0902AYH0 be and hereby is authorized on behalf of the City of Atlanta:

All those tracts or parcels of land lying and being in Land Lot 161 of the 14<sup>th</sup> District, City of College Park, Fulton County, Georgia, being designated as Parcels 26, 27, 31, 32, 33, 90 and 91, and being more particularly described on the legal description attached hereto as Exhibit "A" and made a part hereof by reference.



**BE IT FURTHER RESOLVED** that the Mayor be and hereby is authorized to execute on behalf of the City of Atlanta one or more warranty deeds, as approved by the City Attorney, and any and all other documents or legal instruments necessary to consummate the sale of said land as hereby authorized.

**BE IT STILL FURTHER RESOLVED** that the City Attorney be and hereby is directed to prepare said deed(s) and any other legal instruments, as required, for execution by the Mayor or her designees, to be approved as to form by the City Attorney, and to represent the City at the closing of the sale.

**BE IT FINALLY RESOLVED** that said deed or any other legal instrument, as may be required, shall not become binding upon the City, and the City shall incur no obligation nor liability thereunder until the same shall have been signed by the Mayor or her designees and delivered to the College Park Business and Development Authority.

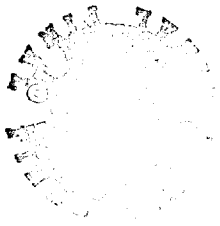
A true copy,

*Thonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

JUN 07, 2004

JUN 14, 2004



## **EXHIBIT "A"**

### **Parcel 26**

All that tract or parcel of land lying and being in Land Lot 161 of the 14<sup>th</sup> District, City of College Park, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a ½" rebar found on the westerly right-of-way line of Victoria Street (40' right-of-way) 121.58 feet northerly from the intersection of the westerly right-of-way line of Victoria Street with the northerly right-of-way line of Harvard Avenue (45' right-of-way); running thence N 89° 52' 03" W a distance of 100.00 feet to a nail set; thence N 01° 43' 48" E a distance of 34.64 feet to a ½" rebar found; thence S 89° 52' 03" E a distance of 100.00 feet to a ½" rebar found; thence S 01° 43' 48" W a distance of 34.64 feet back to the POINT OF BEGINNING.

Said tract or parcel of land being designated as Parcel 26 and consisting of 0.080 acres according to that certain Survey for City of College Park dated December 10, 2003, prepared by Eston Pendley & Assoc., Inc. and bearing the seal and signature of Eston Pendley, Ga. R.L.S. 945.

### **Parcel 27**

All that tract or parcel of land lying and being in Land Lot 161 of the 14<sup>th</sup> District, City of College Park, Fulton County, Georgia, being more particularly described as follows:


BEGINNING at a ½" rebar found on the westerly right-of-way line of Victoria Street (40' right-of-way) 88.49 feet northerly from the intersection of the westerly right-of-way line of Victoria Street with the northerly right-of-way line of Harvard Avenue (45' right-of-way); running thence N 89° 52' 03" W a distance of 100.00 feet to a metal screw placed; thence N 01° 43' 48" E a distance of 33.09 feet to a nail set; thence S 89° 52' 03" E a distance of 100.00 feet to a ½" rebar found; thence S 01° 43' 48" W a distance of 33.09 feet back to the POINT OF BEGINNING.

Said tract or parcel of land being designated as Parcel 27 and consisting of 0.076 acres according to that certain Survey for City of College Park dated December 10, 2003, prepared by Eston Pendley & Assoc., Inc. and bearing the seal and signature of Eston Pendley, Ga. R.L.S. 945.

### **Parcel 31**

All that tract or parcel of land lying and being in Land Lot 161 of the 14<sup>th</sup> District, City of College Park, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a 1" open top pipe found on the northerly right-of-way line of Harvard Avenue (45' right-of-way) 296.30 feet westerly from the intersection of the northerly right-of-way line of



Harvard Avenue with the westerly right-of-way line of Victoria Street (45' right-of-way); running thence N 89° 30' 00" W a distance of 50.00 feet to a ½" rebar found; thence N 00° 30' 13" E a distance of 154.47 feet to a nail set; thence S 88° 53' 38" E a distance of 50.01 feet to a 3/8" rebar found; thence S 00° 30' 22" W a distance of 153.94 feet back to the POINT OF BEGINNING.

Said tract or parcel of land being designated as Parcel 31 and consisting of 0.177 acres according to that certain Survey for City of College Park dated December 10, 2003, prepared by Eston Pendley & Assoc., Inc. and bearing the seal and signature of Eston Pendley, Ga. R.L.S. 945.

### **Parcel 32**

All that tract or parcel of land lying and being in Land Lot 161 of the 14<sup>th</sup> District, City of College Park, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a ½" rebar found marking the intersection of the easterly right-of-way line of Conley Street (40' right-of-way) with the northerly right-of-way line of Harvard Avenue (45' right-of-way); running thence N 00° 30' 17" E a distance of 155.00 feet to a 1" crimp top pipe found; thence S 88° 53' 38" E a distance of 50.00 feet to a nail set; thence S 00° 30' 13" W a distance of 154.47 feet to a ½" rebar found at a point 346.30 feet westerly along the northerly right-of-way of Harvard Avenue from the westerly right-of-way line of Victoria Street; thence N 89° 30' 00" W a distance of 50.00 feet back to the POINT OF BEGINNING.

Said tract or parcel of land being designated as Parcel 32 and consisting of 0.178 acres according to that certain Survey for City of College Park dated December 10, 2003, prepared by Eston Pendley & Assoc., Inc. and bearing the seal and signature of Eston Pendley, Ga. R.L.S. 945.

### **Parcel 33**

All that tract or parcel of land lying and being in Land Lot 161 of the 14<sup>th</sup> District, City of College Park, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a 1" crimp top pipe found on the easterly right-of-way line of Conley Street (40' right-of-way) 155.00 feet northerly from the intersection of the easterly right-of-way line of Conley Street with the northerly right-of-way line of Harvard Avenue (45' right-of-way); running thence N 00° 30' 17" E a distance of 45.00 feet to a 1" rebar found; thence S 88° 53' 38" E a distance of 100.01 feet to a nail set; thence S 00° 30' 22" W a distance of 45.00 feet to a 3/8" rebar found; thence N 88° 53' 38" W a distance of 100.01 feet back to the POINT OF BEGINNING.

Said tract or parcel of land being designated as Parcel 33 and consisting of 0.103 acres according to that certain Survey for City of College Park dated December 10, 2003, prepared by



Eston Pendley & Assoc., Inc. and bearing the seal and signature of Eston Pendley, Ga. R.L.S. 945.

### **Parcel 90**

All that tract or parcel of land lying and being in Land Lot 161 of the 14<sup>th</sup> District, City of College Park, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at the intersection of the northerly right-of-way line of Harvard Avenue (45' right-of-way) with the westerly right-of-way line of Victoria Street (40' right-of-way); running thence N 89° 30' 00" W a distance of 206.30 feet to a 1" open top pipe found; thence N 00° 30' 17" E a distance of 198.00 feet to a 2" steel fence post; thence S 89° 52' 04" E a distance of 110.57 feet to a ½" rebar found; thence S 01° 43' 48" W a distance of 110.89 feet to a metal screw placed; thence S 89° 52' 03" E a distance of 100.00 feet to a ½" rebar found; thence S 01° 43' 48" W a distance of 88.49 feet back to the POINT OF BEGINNING.

Said tract or parcel of land being designated as Parcel 90 and consisting of 0.696 acres according to that certain Survey for City of College Park dated December 10, 2003, prepared by Eston Pendley & Assoc., Inc. and bearing the seal and signature of Eston Pendley, Ga. R.L.S. 945.

### **Parcel 91**

All that tract or parcel of land lying and being in Land Lot 161 of the 14<sup>th</sup> District, City of College Park, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a 1" open top pipe found on the northerly right-of-way line of Harvard Avenue (45' right-of-way) 100.00 easterly from the intersection of the northerly right-of-way line of Harvard Avenue with the easterly right-of-way line of Conley Street (40' right-of-way); running thence N 00° 30' 22" E a distance of 198.94 feet to a nail set; thence S 88° 53' 38" E a distance of 90.00 feet to a 2" steel fence post; thence S 00° 30' 17" W a distance of 198.00 feet to a 1" open top pipe found on the northerly right-of-way line of Harvard Avenue at a point 206.30 feet westerly from the intersection of the northerly right-of-way line of Harvard Avenue with the westerly right-of-way line of Victoria Street; thence N 89° 30' 00" W a distance of 90.00 feet back to the POINT OF BEGINNING.

Said tract or parcel of land being designated as Parcel 91 and consisting of 0.410 acres according to that certain Survey for City of College Park dated December 10, 2003, prepared by Eston Pendley & Assoc., Inc. and bearing the seal and signature of Eston Pendley, Ga. R.L.S. 945.

RCS# 5783  
6/07/04  
2:48 PM

Atlanta City Council

Regular Session

04-R-0992

SALE 7 PARCELS AIRPORT NOISE MITIGATION  
1.72ACRES TO COLLEGE PARK BIDA \$337,850  
ADOPT ON SUB

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 1  
ABSENT 1

E Smith	Y Winslow	Y Shook	Y Martin	Y Mitchell
B Starnes	Y Archibong	NV Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	Y Mosley	Y Willis

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